



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Award of the contract for the Residential Development – Former Matthew Humberstone School Playing Fields Site.

On the 8th September 2021 Cabinet resolved that (DN.56 Housing Delivery Model):

It is recommended that Cabinet.

1. Revoke the Cabinet decision of 10th July 2019 to select an Investment Partner and enter into a Limited Liability Partnership.
2. Delegates authority to the Executive Director Environment, Economy and Resources in consultation with the Portfolio Holder for Economic Development, Housing and Tourism to commence a procurement exercise to procure and award to a developer(s), to deliver housing on the Western and Matthew Humberstone sites by mutually beneficial means having regard to prevailing direction of funders.
3. Delegates authority to the Executive Director Environment, Economy and Resources in consultation with the Portfolio Holder for Economic Development, Housing and Tourism to implement full delivery of the sites and to deal with all ancillary matters. Such delivery to include extra care provision as anticipated by the masterplan on both Western and Matthew Humberstone sites.
4. Authorises the Assistant Director Law, Governance and Assets (Monitoring Officer) to execute and complete all requisite legal documentation.

2. Subject and details of the matter (to include reasons for the decision)

Approval to award the contract for the Residential Development – Former Matthew Humberstone School Playing Fields Site.

The Homes England deadline for completion of the development is 1 July 2024.

The Competitive Tender procedure was used.

Following conclusion of the evaluation process, Snape Properties Ltd have been identified as the most economically advantageous tenderer, and so approval is sought to award the contract for the Residential Development – Former Matthew Humberstone School Playing Fields Site to Snape Properties Limited.

3. Decision being taken

That the Director of Economy, Environment & Infrastructure in consultation with the Leader of the Council awards the contract for the Residential Development – Former Matthew Humberstone School Playing Fields Site to Snape Properties Limited and take all actions to facilitate implementation and mobilisation.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No.

5. Anticipated outcome(s)/benefits

The contract for the Residential Development – Former Matthew Humberstone School Playing Fields Site is awarded via the Competitive Tender procedure to Snape Properties Limited.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

A Limited Liability Partnership (Joint Venture) is deemed restrictive, as Investment Partners are likely to have a preferred development partner and / or their own building company, or a preferred developer framework, which could limit options including, control over supporting the local supply chain, increasing local apprenticeships and employment opportunities.

Direct delivery could give the Council the greatest level of control and financial return, however it also has the greatest level of risk. This option was discounted due to an acknowledgement, the Council does not have the resource or experience to do this. Direct delivery could give the Council the greatest level of control and financial return, however it also has the greatest level of risk. Therefore, this option is not recommended.

The Council could market the site on the open market. This option would incur minimal cost but would give the lowest level of return and provide no control over quality and pace of delivery, putting the Council at risk of breaching its grant conditions agreed with Homes England, which could lead to the Council repaying the grant. Therefore, this option is not recommended.

Do nothing and just allow the sites to appreciate but risk claw back from Homes England for the Accelerated Construction Funding, putting the Council at risk of significant reputational damage with professional partners and the public. Housing need would not be met. Therefore, this option is not recommended.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

Cabinet decision (DN.56) Housing Delivery Model

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No conflicts of interest were identified.

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision sought is consistent with the will of Cabinet and in line with the delegations given.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The sale of land will generate a capital receipt to the Council. This will be shared with Homes England, through a grant clawback agreement, following their grant contribution into the initial capital investment on the site, should they choose to activate this clause.

The housing development will generate additional council tax income to the Council to help cover additional Council service responsibilities going forward.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications

13. Risk Assessment (in accordance with the Report Writing Guide)

If the contract is not awarded then the Council will face both financial and reputational risks because they will have to pay the grant money back to Homes England and a key housing development will not be delivered.

Awarding the contract allows the following opportunities to be delivered:

- Generation of capital receipt through the phased sale of the land/plots.
- Generation of revenue income through Council Tax.
- An increase in delivery of affordable housing.
- Delivery of outcomes for the green agenda.
- Support the local economy during challenging economic times, by creating local jobs growth, apprenticeships, and training opportunities.
- Deliver a strong communication plan ensuring residents are kept fully informed on progress.

14. Has the Cabinet Tracker been updated with details of this decision?

Yes.

15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director of Economy,
Environment & Infrastructure

Signed: REDACTED

Dated: 24/07/2023

**16. Consultation carried out with
Portfolio Holder(s):**

Name: Councillor Philip Jackson

Title: Leader of the Council

Signed: REDACTED

Dated: 25th July 2023

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated: